

22.11.2023

SL. 30

Court No. 29

ss/SD

(Allowed)

C.R.M. (A) 4411 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nalhati** Police Station Case No. **211** of **2023** dated **29.6.2023** under Sections **341/323/325/326/307/302/34** IPC (corresponding to G.R. Case No. 957 of 2023, pending before the Learned ACJM, Rampurhat, Birbhum).

And

In the matter of: **Kajal Sk @ Hannan Sekh & Ors.**

....petitioners.

Mr. Bitasok Banerjee

Mr. Abdus Salam

...for the petitioners.

Mr. Swapan Banerjee

Mr. Anindya Sundar Chatterjee

... for the State.

1. Heard learned Counsel for the parties.
2. At the very outset the learned Advocate for the petitioners draws attention of this Court to the order passed by this Court on 19.9.2023 in CRM (A) 3717 of 2023 whereby and whereunder one Monirul Sekh @ Moni Sk was enlarged on anticipatory bail by us.
3. It is contended that the footings of the present petitioners are more or less same with the accused enlarged on anticipatory bail in the aforementioned case.
4. On perusal of the entire materials placed before us and after hearing the learned Advocates for the parties, we find that no specific overtact has been alleged as against the present petitioners also and thus, they are found to be equally circumstanced with the co-accused already enlarged on anticipatory bail.

5. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation, ground of parity and completion of investigation, it is directed that each of the petitioner shall surrender before the learned Additional Chief Judicial Magistrate, Rampurhat, Birbhum in G.R. Case No. 957 of 2023 arising out of the aforesaid P.S. case within 15 days from today. On their appearance and application for bail, they shall be released on bail on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the condition that:
- i) The petitioners shall appear before the learned Trial Court on each date of substantive hearing subject to provision of Section 317 Cr.P.C..
6. Accordingly, the prayer for anticipatory bail is allowed.
7. The application being **CRM (A) 4411 of 2023** is disposed of.
8. Learned Additional Chief Judicial Magistrate, Rampurhat, Birbhum, is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)